

CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT

AUGUST 5, 2004

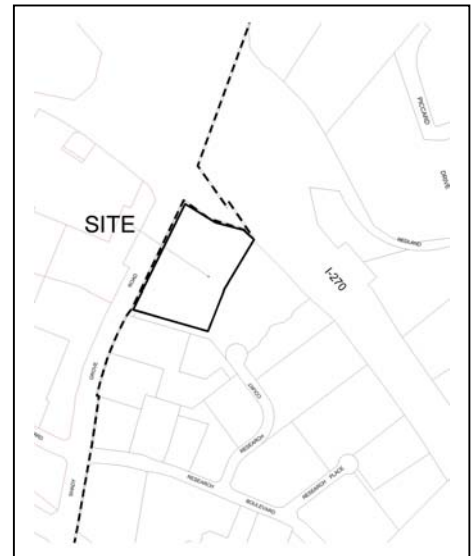
SUBJECT:

Special Exception Application SPX2004-00346

Applicant: George Craven
555 Quince Orchard Road
Gaithersburg, Maryland, 20878

Property
Location: Mid Atlantic Federal Credit Union
15245 Shady Grove Road
Rockville, Maryland 20850

Planning Commission Review Date: August 11, 2004
Board of Appeals Public Hearing Date: September 11, 2004



PREVIOUS RELATED ACTION:

Use Permit Application U-372-86, Shady Grove Limited Partnership - a proposal to construct a four story office building containing approximately 172,780 square feet of gross floor area and associated site surface parking facilities. Approved by the Acting Director of Planning on December 22, 1986.

Variance Application A-293-86, Shady Grove Limited Partnership – zoning variances requested from floor area ratio and site vehicular parking setback requirements of the I-3 (Industrial Park) Zone. Granted by the Board of Appeals on December 18, 1986.

REQUEST:

The applicant submits the subject special exception request in accordance with Section 25-296 of the City of Rockville Zoning Ordinance. The applicant plans to expand the office space of the existing credit union located at 15245 Shady Grove Road. The additional office space will create three (3) new customer assistance workstations, which are needed to better service credit union customers and staff.

In accordance with the Ordinance, credit unions are deemed to be land uses similar to “banks and savings and loan associations,” which are permitted in the I-3 Zone as special exception land uses. Based on available City records, there is no evidence the subject credit union applied for or was ever granted special exception approval to operate at the subject location. The applicant submits the special exception requests seeking approval to expand its existing office space and bring the subject use into formal compliance with requirements of the City’s Zoning Ordinance.

STAFF RECOMMENDATION:

Approval is recommend subject to the following conditions:

1. The credit union continue to operate in substantial accordance as represented in the subject request, i.e., hours of operation, number of employees, level and types of financial services provided, and occupy the amount of floor/office space as represented in the subject request.

ANALYSIS:

Property Description

The subject property is located in the northeast quadrant of Shady Grove Road and Corporate Boulevard, an extension of Research Court. As per the information provided, the existing credit union has been operational from its current office location for ten (10) years. The office building in which the credit union is located is approximately four (4) stories in height, contains 172,780 square feet of gross floor area, and is of masonry, glass, and metal. The credit union is located on the ground level of the “south lobby” portion of the office building. The office building is located in the center of the site, with site surface parking facilities located on all sides of the building.

The property is substantially landscaped and contains an array of mature vegetative materials, including shrubs and trees, flowering and non flowering plants, all ranging in species and size. The Shady Grove Plaza office building property is bounded to the west by Shady Grove Road, north by Interstate Highway 270, east by the Quality Suites and Sleep Inn Hotels, and south by an array of office-related land uses.



Aerial overview of 15245 Shady Grove Road

Site Use & Project Proposal

The applicant seeks special exception approval to expand the size of the office space of the existing credit union, and also bring the financial institutional use into formal compliance with requirements of the Zoning Ordinance. The applicant affirms that the additional office space (i.e., 599 square feet) is needed to allow existing credit union staff to better serve customers of the facility. According to the information provided, there will be no increase in the number of employees working out of this location nor will the credit union alter its current business practices. In order to serve existing and new customers in a more efficient manner, the applicant has determined that the existing 1,792 square foot facility does not provide ample office space for credit union staff to serve customers, who require accommodations that provide meeting/office space to transact business in a more private environment.

The additional office space in which the credit union wants to expand is former office space occupied by the abutting building tenant, who no longer requires nor needs that office space in which it conducts its business operations. The applicant has applied for building and occupancy permits with the City's Inspection Services Division, which are needed, for the applicant to expand its operations as presented herein. If approved as requested the existing credit union would occupy a total of 2,391 square feet of office space within the building.

Applicable Sections of the Zoning Ordinance & Staff Assessment

In accordance with Section 25-296 of the Ordinance "banks and savings and loan associations," (e.g., credit unions) are permitted in the I-3 zone by grant of special exception. As per Section 25-338 of the Ordinance, the Board of Appeals shall not grant any petition for special exception unless it finds from a preponderance of the evidence of record that:

1. The proposed use does not violate or adversely affect the Master Plan (the Plan), Zoning Ordinance, or any other applicable law; and

The credit union has been operational from the subject location for ten (10) years. The use is deemed to be an office use and as such does not violate the Plan or Zoning Ordinance relative to the specific development regulations or standards. The applicant plans to expand its office operation, by incorporating an additional 599 square feet of floor space into its business operations. The planned expansion is interior renovation of existing office space, hence not requiring any additional site surface vehicular parking spaces.

Under the subject request, the proposal is consistent with the use of the property and in accordance with the land use designation as assigned by the City's Master Plan, i.e., "industrial park." As per the information provided, staff finds the planned office expansion complies with all applicable development requirements of the I-3 Zone. It is inferred from the Ordinance that special exception land uses are deemed appropriate in respective zones if it can be demonstrated the requested/proposed land use will not adversely impact neighboring land uses. Based on all

available information, the application request and proposed office expansion will not violate or adversely affect the Ordinance, the Plan, or other applicable law.

2. The proposed use at the location selected will not: a) Adversely affect the health and safety of residents or workers in the area; or b) Overburden existing public services, including water, sanitary, sewer, public roads, storm drainage and other public improvements; c) Be detrimental to the use or development of adjacent properties or the neighborhood; and d) Change the character of the neighborhood in which the use is proposed, considering services currently required, population density, character, and number of similar uses; and

The planned expansion of the credit union will be achieved via the applicant occupying existing office space that was formerly occupied by the neighboring building tenant who no longer requires uses of said office space. There will be no external alteration of the office building and thus, no physical indication of the modest credit union expansion. As noted, the applicant affirms that the office expansion is not being proposed to accommodate an increase in employees.

According to the information provided, existing public services including water, sanitary sewer, public roadways will in no way be impacted by the planned office expansion. Also, the character of the site area will not be changed nor will the availability and delivery of public services within the subject site area be altered by the modest expansion of the credit union. While the applicant notes that it is the intention of the financial institution to serve a greater number of customers, the subject office site and its current improvements are well equipped to accommodate any increase in credit union patrons.

As previously noted, the credit union has existed at the subject location for 10 years. Staff found no evidence the use has been or will be detrimental to abutting land uses or the neighborhood in which it is located. The proposal to expand the office area of the credit will insure that staff and customers will have adequate office space in which to work and conduct business.

3. The proposed use complies with the requirements of the Zoning Ordinance that are applicable thereto.

The subject special exception is submitted in accordance with Section 25-296 of the Ordinance. Credit unions are deemed to be land uses similar to "banks and savings and loan associations," which are allowed in the I-3 zone by grant of special exception. Submission of the request to expand the credit unions office space reflects the applicant's attempts to bring the use into full compliance with all applicable requirements of the Ordinance. Hence, based on the information provided, staff believes the request complies with all known and applicable requirements of the Ordinance.

Based on all of the noted factors, staff finds adequate justification to recommend Special Exception SPX2004-00346 be approved subject to the condition referenced on page “2” of this staff report.

COMMUNITY NOTIFICATION PROCESS

Notification cards were sent to 27 property owners within the subject site area, informing them of the application request and pending Planning Commission meeting and Board of Appeals public hearing, where the request will be publicly heard and considered. A list of addresses is contained in the project’s application file for public review and inspection.

List of attachments:

- Attachment “A” – Authorization Letter
- Attachment “B” – Zoning Verification Letter
- Attachment “C” – U-372-86 - Approval Letter
- Exhibit “1” – Office Floor Plan
- Exhibit “2” – Record Plat
- Exhibit “3” – Site Survey